

Forest Service

CHARTER

1. Committee's Official Designation

Provincial Advisory Committees

The Federal advisory committees referenced in this charter are collectively known as the Provincial Advisory Committees (PACs):

- 1) Eastern Washington Cascades PAC; and
- 2) Deschutes PAC

Each PAC shall operate in accordance with this charter. This charter shall be filed by the Committee Management Officer with the Secretary of Agriculture, the appropriate Congressional Committees, the Library of Congress, and the General Services Administration's Committee Management Secretariat and posted for each committee in the Committee Management Secretariat's Federal Advisory Committee Act (FACA) data base.

2. Authority

Each PAC is established pursuant to the implementation of E-19 of the Record of Decision (ROD). The PACs are in the public interest and are established in accordance with the provisions of the FACA, as amended, 5 U.S.C. App II. The PACs are also in accordance with an Interagency Agreement established between the U.S. Department of Agriculture's (USDA) Forest Service and the U.S. Department of the Interior's Bureau of Land Management (BLM) which enables each agency to provide local forums and develop ways to better coordinate activities with non-Federal entities.

3. Objectives and Scope of Activities

The Secretary of Agriculture is re-establishing the following PACs to provide advice and make recommendations to promote better integration of forest management activities between Federal and non-Federal entities to ensure that such activities are complementary.

Each PAC provides advice regarding implementation of a comprehensive ecosystem management strategy for Federal land within three ecological provinces and the entirety of the Okanogan-Wenatchee and Deschutes National Forests. They seek to promote public understanding and, where possible, consensus on approaches to managing forest ecosystems, wildlife and fish, and human uses of the forest.

The ROD for the Northwest Forest Plan of April 13, 1994, provides direction to the Forest Service and the BLM for developing an ecosystem management approach that is consistent with statutory authority for land use planning, such as the Forest Rangeland Renewable Resources Planning Act, the National Forest Management Act, and the Federal Land Policy and Management Act. (See the ROD, page 5). Ecosystem management at the province level requires improved coordination among governmental entities responsible for land management decisions and the public they serve.

4. Description of Duties

- a. The PACs shall be solely advisory in nature.
- b. The PACs make recommendations on the implementation of the ROD.
- c. The PACs provide advice on provincial level analyses and monitoring, provide a forum for information exchange, and encourage complementary ecosystem management among Federal and non-Federal land managers. The PACs participate, where appropriate, in collaborative planning at the province level across the Federal and non-Federal boundaries.

5. Agency or Official to Whom the Committee Reports

The PACs report to the Secretary of Agriculture through the Chief of the Forest Service.

6. Support

Administrative support for the PACs shall be provided by the Forest Service.

7. Estimated Annual Operating Costs and Staff Years

- a. In accordance with FACA, members and/or designees of the committee shall serve without compensation. PAC members and/or designees will be reimbursed travel and per diem expenses for attendance at PAC meetings or subcommittee meetings called by the Designated Federal Officer (DFO) in consultation with the Chairperson and with an agenda approved by the DFO. In the performance of their duties away from their homes or regular places of business, PAC members may be allowed reimbursement for travel expenses including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703. Reimbursement, if any, will be consistent with procedures and rates applicable to Forest Service employees in travel status.
- b. Annual operating costs for each PAC are estimated to be \$150,000 and 1 full-time equivalent staff support.

8. Designated Federal Officer

The Secretary of Agriculture shall appoint a full-time employee as the Designated Federal Officer (DFO) for each identified PAC, as appropriate, and in accordance to sections 10(e) and (f) of the Federal Advisory Committee Act, 5 U.S.C. App.

The Designated Federal Officer (DFO) will:

- a. Call and convene each meeting and subcommittee meeting of the committee, including publication notices of committee meetings as required by FACA..
- b. Attend all PAC and subcommittee meetings.
- c. Chair PAC meetings in the absence of the PAC's elected Chair or Co-Chair; or when otherwise directed to do so by the Secretary.
- d. Prepare and approve all meeting agendas in coordination with the committee chair.
- e. Review and approve the PAC's by-laws, operating guidelines or rules of operation.
- f. Maintain PAC records consistent with FACA regulations.
- g. Adjourn any meeting when he or she determines adjournment to be in the public interest.
- h. Remove inactive members from the PAC.
- i. Provide information to the PAC about FACA, and other laws, regulations and policies relevant to the committee's activities and the proposed recommendations under review by the committee.
- j. Transmit the recommendations of the PAC to the Secretary, through the Chief of the Forest Service.
- k. The Forest Service Regional Forester, or designee, for each identified PAC, as appropriate, shall serve as the Designated Federal Official.

9. Estimated Number and Frequency of Meetings

- a. The PACs will meet approximately once per year, but may meet as often as is necessary to complete their business.
- b. The meetings of the PACs may be held in person, by telephone, by electronic means, or by any combination of the above mentioned.
- c. Meetings of the PACs whether in person, by telephone, or by electronic means shall be announced in the Federal Register at least 15 days in advance of a scheduled meeting. PAC members will be notified personally of the date, time, and place of each meeting.
- d. As required by FACA, the PAC will hold open meetings unless the Secretary determines that a meeting or a portion of a meeting may be closed to the public in accordance with Subsection C of Section 522(b) of Title 5, United States Code. Interested persons may attend meetings, appear before the committee as time permits, and file comments with the PAC.

- e. A simple majority of the committee shall constitute a quorum for a meeting. The committee shall not hold any meetings except at the call of, or with the advance approval of, the DFO.

10. Duration

Continuing.

11. Termination

- a. The charter will expire in two years from the date of filing unless renewed prior to that date in accordance with FACA, Section 14. The PACs will not meet or take any action without a valid charter.
- b. If the Secretary, in consultation with the Regional Forester within the jurisdiction of the PAC, determines that insufficient interest exists to continue to ensure the participation of the PAC is balanced in terms of the points of views represented, the Secretary will terminate the PAC.

12. Membership and Designation

12a. This PAC will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships. Each PAC will consist of no more than 29 members who provide balanced and broad representation within each of the following interests:

- (1) One or more representatives of the Environmental Protection Agency;
- (2) One or more representatives of the United States Fish and Wildlife Service;
- (3) One or more representatives of the Forest Service;
- (4) One or more representatives of the BLM in each province where lands administered by BLM occur in the province;
- (5) One or more representatives of the National Park Service in each province where a national park occurs in the province;
- (6) One or more representatives of the National Marine Fisheries Service;
- (7) One or more representatives of the Bureau of Indian Affairs;
- (8) Up to a maximum of three representatives of the government of each State within whose boundaries all or a portion of the province is located (the State agencies/departments to be represented will be determined by the Federal officials described in Paragraphs 3a(1) through 3a(7));

- (9) One or more representatives of each county government within whose boundaries all or a portion of the province is located, up to a maximum of three county representatives;
- (10) One or more representatives of each Tribal government whose reservation, ceded land, or usual and accustomed areas are within all or a portion of the province, up to a maximum of three Tribal representatives;
- (11) Up to a maximum of two representatives of environmental interests;
- (12) Up to a maximum of two representatives of different sectors of the forest products industry;
- (13) Up to a maximum of four representatives of the recreation and tourism sectors;
- (14) Three to five representatives of the following interests when those interests are determined by the Federal officials described in Paragraphs 3a(1) through 3a(7) to be needed on the respective provincial committee: Fish, wildlife, or forestry conservation organizations; special forest products interests, mining interests, grazing interests, and commercial fishing or charter fishing boat industry interests; and other interests that help achieve the purpose of this charter;
- (15) Up to a total of three representatives from the following Federal agencies when the jurisdiction or authority of those agencies are determined by the Federal officials described in Paragraphs 3a(1)(a) through 3a(7)(g) to be needed on the respective provincial committee: Bureau of Reclamation, United States Geological Survey National Biological Division, Forest Service Research, United States Army Corps of Engineers, United States Geological Survey, Bonneville Power Administration, Department of Defense, and Natural Resources Conservation Service; and
- (16) Up to a maximum of six representatives representing the public at large affected by the ROD for the Northwest Forest Plan and concerned with the management of the national forests in the community.

12b. The PACs may invite a representative of the State Community Economic Revitalization Team, or its equivalent, to participate as an ex-officio member. In the event a member is unable to attend a meeting of a PAC or a meeting of one of its subcommittees/working groups, that member may send a designee, or alternate, to represent him or her at the meeting.

12c. The Chairperson of each PAC will alternate annually between the Forest Service representative and the BLM representative in provinces where both agencies administer lands. When the BLM is not represented on the PIEC, the Forest Service representative will serve as Chairperson. The Chairperson, or designated agency employee, will serve as the Designated Federal officer under Sections 10 (e) and (f) of the Federal Advisory Committee Act (5 U.S.C. App).

12d. Nominees will be sought through an open and public process that includes, but is not limited to, nominees submitted by tribal governments, county governments, State tourism offices, outfitters and guides serving the appropriate provinces, and organizations and individuals who represent the interest specified in the ROD.

Appointments to the PACs will be made by the Secretary after recommendation(s) have been made by Regional Forester, Region 6, the PIEC and consultation with the BLM State Director, Oregon State Office, when appropriate (in provinces where the BLM administers land), and the Regional Interagency Executive Committee. The Regional Forester, Region 6, also shall consult with the Regional Forester, Region 5, when appropriate. The BLM State Director, Oregon State Office, shall consult with the BLM State Director, California State Office, when appropriate.

12e. Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

Each PAC will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

12f. The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of the individual's income is derived from any public assistance program.

12g. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any "specific party matters" (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO any specific party matter in which the member's immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee's recommendations. Members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the Forest Service, or in any litigation related thereto. For purposes of this paragraph, indirect interest includes holdings of a spouse or a dependent child.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee's advice and recommendations. Members who are appointed as "Representatives" are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as "Special Government Employees" (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE's are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. Subcommittees

The Forest Service has the authority to create subcommittees. Subcommittees must report back to the parent Committee, and must not provide advice or work products directly to the Agency.

Each PAC may create and operate subcommittees or working groups recommended by its members and approved by the Secretary or Designated Federal Officer (DFO). Working groups or subcommittees may include individuals who are not members of a PAC and may be community-based groups that would exchange information to a PAC on land management issues related to the Adaptive Management Areas or other land-use classifications described in Attachment A of the ROD. Subcommittees, which may vary widely in structure, composition, and purpose, report directly to the PAC that formed it. The DFO must attend subcommittee meetings. Subcommittees shall keep meeting minutes that include attendees, public comment, and information that are presented to the PAC.

14. Recordkeeping

The records of the PACs, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about this Committee is available online at:

Deschutes PAC:

<http://www.fs.usda.gov/main/centraloregon/workingtogether/advisorycommittees>

Eastern Washington Cascades PAC:

<http://www.fs.usda.gov/detail/okawen/workingtogether/advisorycommittees/?cid=stelprd5379750>

16. Filing Date

5/27/2015